

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CIVIL ACTION NO. 1:14cv0075 (WOB)

HARRY ZEISER, ET AL.

PLAINTIFFS

VS.

O R D E R

CAMPBELL HAUSFELD/SCOTT  
FETZER COMPANY

DEFENDANT

This matter is before the Court on defendant's motions for summary judgment (Docs. 26, 30, 35).

The Court heard oral argument on these motions on Wednesday, October 28, 2015. Randy Freking and George Reul, Jr. represented the plaintiffs, who were also present. David Montgomery and Jamie Goetz-Anderson represented the defendant. Court reporter Mary Ann Ranz recorded the proceedings.

This is a complicated employment discrimination case in which plaintiffs allege that defendant selected them for inclusion in a reduction in force because of their age. The Court has reviewed the record carefully and concludes, for the reasons stated on the record, that there are genuine disputes of material fact which render summary judgment inappropriate.

The Court will therefore set the matter for a jury trial. By consent of the parties, the case will be tried at the federal courthouse in Covington, Kentucky, where courtroom access and parking are easily accessible.

In the meantime, the parties are going to continue efforts to reach a settlement of the claims herein.

Therefore, having reviewed this matter, and being sufficiently advised,

**IT IS ORDERED** that:

- (1) Defendant's motions for summary judgment (Docs. 26, 30, 35) be, and are hereby, **DENIED**;
- (2) The parties shall file a joint status report **on or before November 13, 2015**, advising the Court of the status of settlement efforts;
- (3) This matter be, and is hereby, **SET FOR A JURY TRIAL ON MONDAY, MARCH 21, 2016 AT 10:00 A.M. in Courtroom A at the United States District Court for the Eastern District of Kentucky, 35 W. 5<sup>th</sup> Street, Covington, Kentucky, 41011**; and
- (4) A final pretrial conference be, and is hereby, **SET FOR FRIDAY, MARCH 11, 2016 AT 1:30 P.M.** in the chambers of the undersigned in Covington, Kentucky. A copy of the

Court's standard final pretrial order shall enter concurrently herewith.

This 29th day of October, 2015.



**Signed By:**

**William O. Bertelsman** WOB

**United States District Judge**

TIC: 43 min.